



DATE:	July 30, 2013
APPROVED BY:	Russell Schaedlich, Secretary

LAKE COUNTY PLANNING COMMISSION
June 25, 2013

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Chair Hausch called the meeting to order at 5:30 p.m.

ROLL CALL

The following members were present: Messrs. Adams, Morse, Pegoraro (alt. for Troy), Schaedlich, Welch (alt. for Aufuldish), Welch, Zondag, Mmes. Hausch, and Pesec. Legal Counsel present: Asst. Prosecutor Joshua Horacek. Planning and Community Development Staff present: Mr. Radachy, and Ms. Truesdell.

MINUTES

April 30, 2013

Mr. Pegoraro moved and Mr. Welch seconded the motion to approve the February, 2013 minutes.

All voted "Aye".

FINANCIAL REPORT

April 2013

Mr. Morse moved and Mr. Pegoraro seconded the motion to approve the April, 2013 Financial Report.

All voted "Aye".

May 2013

Mr. Schaedlich moved and Mr. Pegoraro seconded the motion to approve the May, 2013 Financial Report.

All voted "Aye".

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

Mr. Horacek reported that George Hadden, of the County Engineer's office, said that a plan for Kimball Estates has been designed and he has written letters to all parties asking for comments. These will be incorporated into a revised plan.

DIRECTOR'S REPORT

Mr. Radachy discussed the following items:

- Working on an agreement between the Board of County Commissioners and Western Reserve RC&D to supply them with an office and access to equipment in lieu of the County paying dues. WRR&D has agreed in principle to the agreement.
- He was called to testify in a court case involving the proposed vacation of South Linda Lane in Madison Township. The jury found in favor of the property owner and reversed the vacation performed by Madison Township Trustees.
- A memo was sent to the County Administrator on the feasibility of adding a new staff member. In the month of May, he spent 45% of his time on lot splits and subdivision issues. He spent 25% for the month of June.
- The 2013 NE Ohio Planning and Zoning Workshop will be held on Friday. There are 147 people registered including speakers.
- CDBG and HOME programs are preparing recommendations to the County Commissioners on how to allocate the 2014 CDBG Funds. Funding requests have been received from public service agencies such as 211 and Project Hope and requests for construction projects in Fairport Harbor, Painesville, Willowick, and from the non-profits such as Extended Housing and Lake County Council on Aging.
- Staff reviewed and assisted Fairport Harbor and Ashtabula County staff on a couple of zoning issues.

ANNOUNCEMENTS

There were no announcements.

SUBDIVISION REVIEW

Subdivision Report

Mr. Radachy said the following subdivisions were acted upon this month:

- Two subdivisions were submitted for a Pre-application meeting on May 29, 2013. They were Stein Farm in Leroy Township and Stone Ridge Estates in Concord Township. Neither of them are new. Stein Farm submitted a pre-application in 2006. They resubmitted at this time because Leroy Township has proposed to increase the minimum lot size. There was discussion about the Stein Subdivision being able to handle 1.5 acre lots with septic and well.
- Stone Ridge Estates has a new owner, so they are starting over.
- Mountainside Farms Phase 4 is trying to get recorded before it expires on June 30. They have received all their final approvals from all parties except the Planning Commission, Prosecutor and the Commissioners.
- Summerwood Subdivision Phase 3 and Phase 4 have hit a snag with the Ohio EPA. They have not finalized their improvement plans.

LAND USE AND ZONING REVIEW

Concord Township District Amendment – 144.7 Acres R-4 to R-2 RCD

Mr. Radachy said that this district amendment will rezone 144.7 acres of land from R-4 to R-2 RCD. Staff stated that the development will be called Concord Ridge and it is owned by Tuckstell Investments, LLC. Polaris Engineering performed the engineering services on the site.

The proposal was for 115 sublots for the RCD. This was based on a 104 subplot yield plan. There is a 123 subplot preliminary plan for Crossroads at Summerwood approved for this site in 2005. The preliminary plan is valid for another two years.

The site is located on Concord-Hambden Road and Winchell Road. It has Summerwood Subdivision to the north and Stanford Springs to the south. Crossroads at Summerwood Phase 1 was located northwest of the site as the 2011 airphoto of the site showed.

The preliminary plan for Crossroads at Summerwood was approved for 148 sublots in 2005 and it is currently an approved plan. Mr. Radachy showed the differences between it, the yield plan and the RCD Plan. The biggest change was the fact that the yield plan and RCD Plan did not connect back to Concord-Hambden Road and there are less lots. The yield plan would have the most negative impact of the three plans because it does not connect the two sides together and it does not connect Stanford Springs and Summerwood together.

In the yield plan, there were some issues with sublots 18 and 19 which had wide, but very narrow building envelopes. There should be room to build a home, but it would be difficult to build without impacting the wetlands and the backyards would be all wetlands. Sublot 69 would also be a challenge. It is separated from the rest of the development and it has frontage on Winchell Road only. Sanitary sewer would also be difficult because the Utilities Department normally does not allow laterals in easements.

In the RDC plan, the wetlands were placed into open space. Mr. Radachy explained that there is greater amount of open space in the development. He stated that the open space did not count towards the percent that determines the density bonus because it was too small. The wetlands delineation also picked up the detention pond from Crossroads at Summerwood Phase 1 Subdivision and called it wetlands. He felt that this land should be removed from the area being allowed to determine the density bonus. There is an easement for maintenance for the pond in the proposed open space and on subplot 1.

Staff stated that there is a concern about who the third party would be that would maintain the open space. This could be Lake Metroparks, Lake Soil and Water Conservation District, Concord Township, Western Reserve Land Conservancy or a similar group. There is some concern if Concord Township takes it because then it becomes a burden on the entire Township. If Lake Metroparks takes it, it comes off the tax roll. The Land Use and Zoning Committee discussed this issue and thought that there needs to be strong language that states that the open space needs to be maintained.

Mr. Pegoraro stated he had some concerns on the wetlands. There is an increase in the amount of wetlands from the delineation done for Crossroads of Summerwood and he wondered why that happened.

Mr. Radachy stated that conditions may have changed since the original approval in 2005. Summerwood Phase 1 and 2 were not built at the time and may have altered the water flow in the area. There also may have been different contractors performing the delineation. There may have been different versions of the wetlands on the site.

Mr. Pegoraro stated that the differences concerned him and he would like the Corps to see the delineation before the Township approves the site.

Mr. Summers spoke about the site. He confirmed the site has changed since the first delineation. He stated that he used the same contractor, HZW, as Mr. Reibe. The delineation led him to want to do an RCD. He recognized the fact that one of the wetlands on the delineation was the detention pond from Crossroads at Summerwood Phase 1. He stated it is showing wetland plants in it. He was agreeable to removing it from the open space calculation used for determining the density bonus.

Mr. Radachy said that the district amendment conforms to the Comprehensive Plan. Staff recommended approval of the district amendment with the following suggestions:

- Design subplot number 1 to take the local service drainage from Crossroads at Summerwood into consideration.

- Reduce the amount of open space used to determine the bonus by the amount of land in the detention pond of Crossroads at Summerwood Phase 1.
- Recommend that the property owner secure a third party to maintain the open space prior to the subdivision being submitted for final plat approval.
- Recommend that the U.S. Corps of Engineers approve the wetland delineation before the zoning district is fully accepted.

Mr. Pegoraro moved and Mr. Morse seconded the motion to recommend approval of the Concord Township District Amendment to rezone 144.7 acres from R-4 to R-2 RCD with the suggestions of the Planning Commission staff.

All voted "Aye".

Land Use & Zoning Committee Members

Lora Diak of Madison Township and Aven Malec of Perry Township are up for appointment. Jerry Klco of Madison Township said he would continue on the Land Use and Zoning Committee. Mark Welch of Perry Township also intends to continue.

REPORTS OF SPECIAL COMMITTEES

There were no reports from special committees.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

Planning Commission ByLaws

Mr. Radachy asked if there were any suggestions or recommended changes to the ByLaws. There were none.

Mr. Zondag moved and Mr. Morse seconded the motion to approve the new Lake County Planning and Community Development ByLaws.

All voted "Aye".

Mr. Radachy asked that members submit comments 15 days prior to the next meeting at which time there will be a public hearing before the next Planning Commission meeting.

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no comment from the public.

ADJOURNMENT

Mr. Zondag moved and Mr. Morse seconded the motion to adjourn.

All voted "Aye".

The meeting adjourned at 6:46 p.m.